

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JPMCC 2007-CIBC19 FRANCES WAY, LLC, §

Plaintiff, §

v. §

BARRY S. NUSSBAUM, §

Defendant. §

CIVIL ACTION NO. 3:12-cv-01232-M

JOINT STIPULATION OF DISMISSAL WITHOUT PREJUDICE

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, JPMCC 2007-CIBC19 Frances Way, LLC and Barry S. Nussbaum submit this Joint Stipulation of Dismissal Without Prejudice.

1. The parties hereby stipulate that all claims and causes of action asserted in this matter are dismissed without prejudice.

2. All costs, expenses, and attorneys' fees shall be borne by the party initially incurring the same.

Respectfully submitted,

WINSTEAD PC

By: /s/ Deanna E. Caldwell

Brian T. Morris
State Bar No. 14469600
Deanna E. Caldwell
State Bar No. 24069455

500 Winstead Building
2728 N. Harwood Street
Dallas, Texas 75201
(214) 745-5400 (Telephone)
(214) 745-5390 (Fax)
bmorris@winstead.com
dcaldwell@winstead.com

**ATTORNEYS FOR PLAINTIFF
JPMCC 2007-CIBC19 FRANCES WAY, LLC**

TRIBBLE, ROSS & WAGNER

By: /s/ Jeremy D. Saenz

Jeremy D. Saenz
State Bar No. 24033028
Tribble, Ross & Wagner
3355 West Alabama Street
Suite 1200
Houston, Texas 77098
(713) 622-0444 (Telephone)
(713) 622-0555 (Fax)
jsaenz@tribblelawfirm.com

**ATTORNEYS FOR DEFENDANT
BARRY S. NUSSBAUM**